

REMARKS

Applicants respectfully request further examination and reconsideration in view of the arguments set forth fully below. In the Final Office Action mailed April 16, 2007, claims 1-25 have been rejected. In response, the Applicants have submitted the following remarks. Accordingly, claims 1-25 are still pending. The Applicant has resubmitted a current listing of claims for the Examiner's convenience. No amendments to the claims have been made. Favorable reconsideration is respectfully requested in view of the amended claims and the remarks below.

Rejections Under 35 U.S.C. §112

Claims 1-2, 10, 14 and 22 have been rejected under 35 U.S.C. §112, second paragraph. The Examiner reasserts his rejection that the term "event" is used by the Applicant to mean, "event is a data file," while the accepted meaning is "an action or occurrence." The Examiner further claims that the term is indefinite because the specification does not clearly redefine the term.

The Applicants respectfully quotes page 6, paragraph 18, lines 8-10 of the present application:

"An EIF event 78 is a data file that includes various data regarding the electronic image file such as the image file type, image size, and any pertinent data fields related to the subject of the image file."

The Applicants respectfully submit that "EIF event 78 is a data file" sufficiently redefines the term "event" to be a data file, rather than "an action or occurrence."

The Applicants further point out that the previously cited paragraphs 8, 9, 19, 20, 27, and the remainder of paragraph 18 further refer to the EIF events as if they are data files rather than an action or occurrence, thereby supporting the redefinition of the term as pointed out by the Applicants from paragraph 18. For at least these reasons, the Applicants respectfully submit that the rejection under 35 U.S.C. §112, second paragraph, be withdrawn.

Rejections Under 35 U.S.C. §101

The Applicants respectfully submit that it is unclear to the Applicants whether the Examiner has considered the amendments the Applicants made in the previous Office Action response with respect to the rejections under 35 U.S.C. §101. The Examiner has provided no further comment on the amendments to the claims in response to the 35 U.S.C. §101 rejection, nor has provided any additional comments whatsoever in the Examiner's Response to Arguments section. Therefore, the Applicants have provided a current listing of the claims with this response, and have reiterated the arguments to this rejection below.

Claims 10-25 have been rejected under 35 U.S.C. §101, because none of the claims are directed to statutory subject matter. Within the Office action it is stated that the independent claims deal with simply an abstract idea, and that a claim that recites a computer that solely calculates a mathematical formula or computer disk that solely stores a mathematical formula is not directed to the type of statutory subject matter eligible for patent protection. Within the Office Action it is also stated that the claims are not producing useful, concrete and tangible results. By the above amendments, the Applicants have amended claims 10, 14 and 22 to include statutory subject matter. Specifically, these claims have been amended to clarify a number of steps and to add a receiving and outputting step. For at least these reasons, the Applicants respectfully submit that the rejection of claims 10-25 under 35 U.S.C. §101 be withdrawn.

Rejections Under 35 U.S.C. §102

Claims 1-7, 9, 14-19 and 21 have been rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent Publication No. 2002/0249809 to Bianco et al. (hereinafter Bianco). The Applicants respectfully disagree with this rejection.

Within the "Response to Arguments" section of the Office Action, the Examiner indicates that the Applicants' argument that Bianco does not teach an electronic image

file event generator for generated electronic image file events is inaccurate in that the Applicants are expecting some claiming words to appear in the reference instead of looking to the meaning or concept.

The Applicants respectfully submit that the meaning or concept of the term electronic image file events as understood by the Examiner, is very different, and in fact addressed above with respect to the rejection under 35 U.S.C. §112, second paragraph. In short, the present invention teaches an electronic image file event that is a data file, while the Examiner asserts that the Bianco reference reads on the claims because the Bianco reference teaches an electronic image file event that is an action or occurrence. Regardless of whether the Applicants believe that Bianco teaches an electronic file image event that is an action or occurrence (the Applicants do not), the Applicants respectfully submit that Bianco indeed does not teach an electronic image file event that is a data file. For at least these reasons, the Applicant respectfully submits that the independent claims 1 and 14 are allowable over the teachings of Bianco, as these independent claims include limitations toward an electronic file image event that is a data file, which is not taught by the Bianco reference.

In contrast to the teachings of Bianco, the system and method for generating tasks related to electronic image files of the present invention includes a single electronic document manager and a single task engine, wherein the electronic document manager receives electronic image files and communicates with the task engine, such that the task engine generates a set of tasks based on the electronic image files received by the electronic document manager. The present invention does not include or claim two separate sets of electronically displayable files for pre or post event viewing by a patient.

The independent claim 1 is directed to a system for generating one or more tasks related to one or more electronic image files comprising an electronic document manager including an electronic file database for storing the electronic image files and electronic image file event generator for generating electronic image file events related to the

electronic image files, and a task engine in communication with the said electronic document management module for generating tasks related to the electronic image files based on the contents of said electronic image file events. As described above, Bianco does not teach an electronic document manager in communication with a task engine for generating task related to the electronic image files based on the contents of said electronic image file events. For at least these reasons the independent claim one is allowable over the teachings of Bianco.

Claims 2-7 and 9 are dependent upon the independent claim 1. As discussed above, the independent claim 1 is allowable over the teachings of Bianco. Accordingly, claims 2-7 and 9 are also allowable as being dependent upon an allowable base claim.

The independent claim 14 is directed to a system for generating one or more task related to one more electronic image files comprising an electronic document management module including an electronic image file database for receiving from a user and storing the electronic image files in an electronic image file event generator submodule for generating electronic image file events related to the electronic image files, and a task engine module in communication with said electronic document management module for generating tasks related to the electronic image files based on the contents of said electronic image file events, said task engine module including a task generation submodule including an event manager for receiving and storing said electronic image file events, a rule set manager including at least one predetermined set of rules provided by the user, each of said rules having at least one predetermined condition, and a task generation manager for comparing the electronic image file events to said at least one predetermined set of rules and outputting one or more tasks if the electronic image file events meets at least one predetermined condition to the user. As described above with respect to claim 1, Bianco does not teach an electronic document manager communicating with a task engine in order to output a set of tasks related to the electronic

image files. For at least these reasons, the independent claim 14 is allowable over the teachings of Bianco.

Claims 15-19 and 21 are dependent upon the independent claim 14. As discussed above, the independent claim 14 is allowable over the teachings of Bianco. Accordingly, claims 15-19 and 21 are also allowable as being dependent upon an allowable base claim.

Rejections Under 35 U.S.C. §103

Claims 8, 10-13, 20 and 22-25 have been rejected under 35. U.S.C. §103(a) as being unpatentable over Bianco in view of U.S. Patent Publication No. 2003/0140044 Mok et al. (hereinafter Mok). The Applicants respectfully disagree with this rejection.

Claim 8 is dependent upon the independent claim 1. As discussed above, the independent claim 1 is allowable over the teachings of Bianco. Accordingly, claim 8 is also allowable as being dependent upon an allowable base claim. The Applicants respectfully submit that the Examiner is relying on the Bianco reference in the same fashion as it would relied upon above in the 35 U.S.C. §102(b) rejection. The Applicant respectfully submits that Bianco does not teach creating one or more electronic image file events related to the electronic image files using an electronic document manager and a task engine. Furthermore, as stated in the Office Action, Bianco does to explicitly teach sorting or filtering electronic documents. Regardless of the teachings of Mok, the combination of Bianco and Mok cannot teach the elements of the independent claims 10 and 22 when combined. Therefore, the Applicants respectfully submit that the independent claims 10 and 14 are allowable over the teachings of Bianco, Mok and their combination.

Claims 11-13, 20 and 23-25 are dependent upon the independent claims 10 and 22. As discussed above, the independent claims 10 and 22 are allowable over the teachings of Bianco, Mok and their combination. Accordingly, claims 11-13, 20 and 23-25 are also allowable as being dependent upon an allowable base claim.

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For these reasons, Applicants respectfully submit that all of the claims are now in a condition for allowance, and allowance at an early date would be appreciated. Should the Examiner have any questions or comments, they are encouraged to call the undersigned at 414-271-7590 to discuss the same so that any outstanding issues can be expeditiously resolved.

Respectfully submitted,

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